

4821. Misbranding of cottonseed meal. U. S. v. William F. Rapier et al. (Rapier Sugar Feed Co.). Plea of guilty. Fine, \$25. (F. & D. No. 5518. I. S. No. 13518-k.)

On February 25, 1916, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William F. Rapier and James L. Rapier, trading as Rapier Sugar Feed Co., Owensboro, Ky., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about February 1, 1915, from the State of Kentucky into the State of Indiana, of a quantity of cottonseed meal which was misbranded. The article was labeled: "\$50 fine for using this tag second time. No. 6278. Net Weight 100 Pounds. Rapier Sugar Feed Company, of Owensboro, Ky., Guarantees this Rapier's Brand Choice Grade Cottonseed Meal to contain not less than 7.5 per cent of crude fat, 41.0 per cent of crude protein, not more than 10.0 per cent of crude fiber, and to be compounded from the following ingredients: Decorticated Cottonseed.—W. J. Jones, jr., State Chemist. Purdue University Agricultural Experiment Station, La Fayette, Ind. Not good for more than 100 Pounds."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Moisture (per cent)	8.89
Crude protein (per cent)	38.19
Crude fiber (per cent)	14.90
Crude fat (per cent)	6.48

Misbranding of the article was alleged in the information for the reason that the following statement regarding it and the ingredients and substances contained therein, appearing in the label aforesaid, to wit: "Rapier Sugar Feed Company, of Owensboro, Ky., Guarantees this Rapier's Brand Choice Grade Cottonseed Meal to contain not less than 7.5 per cent of crude fat, 41.0 per cent of crude protein, not more than 10.0 per cent of crude fiber," was false and misleading in that it indicated to purchasers thereof that the article contained at least 7.5 per cent of crude fat, 41 per cent of crude protein, and not more than 10 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid, so as to deceive and mislead purchasers into the belief that it contained at least 7.5 per cent of crude fat, 41 per cent of crude protein, and not more than 10 per cent of crude fiber, when, in truth and in fact, it did not contain 7.5 per cent of crude fat, 41 per cent of crude protein, and did contain more than 10 per cent of crude fiber.

On May 1, 1916, a plea of guilty was entered on behalf of the defendants, and the court imposed a fine of \$25.

CARL VROOMAN,
Acting Secretary of Agriculture.